

**House Study Bill 224 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON JUDICIARY BILL BY  
CHAIRPERSON HOLT)

**A BILL FOR**

1 An Act relating to service of process relating to juvenile  
2 delinquency proceedings and termination of the parent-child  
3 relationship proceedings.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 232.37, subsection 4, Code 2019, is  
2 amended to read as follows:

3 4. Service of summons or notice shall be made personally by  
4 the sheriff by delivering a copy of the summons or notice to  
5 the person being served. If the court determines that personal  
6 service of a summons or notice is impracticable, the court may  
7 order service by certified mail addressed to the last known  
8 address, or by electronic mail or other electronic means with  
9 the consent of the party to be served. Service of summons or  
10 notice shall be made not less than five days before the time  
11 fixed for hearing. Service of summons, notice, subpoenas or  
12 other process, after an initial valid summons or notice, shall  
13 be made in accordance with the rules of the court governing  
14 such service in civil actions.

15 Sec. 2. Section 232.112, subsection 3, Code 2019, is amended  
16 to read as follows:

17 3. Notice under this section shall be served personally,  
18 ~~or shall be sent by restricted certified mail, or sent by~~  
19 electronic mail or other electronic means with the consent of  
20 the party to be served, whichever is determined by the court to  
21 be the most effective means of notification. Such notice shall  
22 be made according to the rules of civil procedure relating to  
23 an original notice where not inconsistent with the provisions  
24 of this section. Notice by personal delivery shall be served  
25 not less than seven days prior to the hearing on termination  
26 of parental rights. Notice by restricted certified mail shall  
27 be sent not less than fourteen days prior to the hearing  
28 on termination of parental rights. A notice by restricted  
29 certified mail which is refused by the necessary party given  
30 notice shall be sufficient notice to the party under this  
31 section.

32

#### EXPLANATION

33 The inclusion of this explanation does not constitute agreement with  
34 the explanation's substance by the members of the general assembly.

35 This bill provides an alternative to service of process

1 relating to juvenile delinquency proceedings and termination of  
2 parental rights proceedings under Code chapter 232 (juvenile  
3 justice).

4 The bill provides that in the context of providing service of  
5 a summons or notice to specified parties relating to a formal  
6 judicial proceeding to determine whether a child has committed  
7 a delinquent act, if the court determines that personal service  
8 of a summons or notice is impracticable, the court may, in  
9 addition to the current option of ordering service by certified  
10 mail addressed to the last known address of the party, provide  
11 service by electronic mail or other electronic means with the  
12 consent of the party to be served.

13 In the context of termination of the parent-child  
14 relationship proceeding, the bill provides that the provision  
15 of notice to necessary parties, in addition to the current  
16 options of personal service and sending notice by restricted  
17 certified mail, shall include sending notice by electronic mail  
18 or other electronic means with the consent of the party to be  
19 served, whichever is determined by the court to be the most  
20 effective means of notification.